

MICRON NEW YORK SEMICONDUCTOR MANUFACTURING LLC

**SEQRA RESOLUTION
(3101-23-07A)**

A special meeting of the Onondaga County Industrial Development Agency (the "Agency") was convened in public session on June 25, 2025, at 8:30 a.m., local time, at 335 Montgomery Street, 2nd Floor, Syracuse, New York.

The meeting was called to order by the (Vice) Chairperson of the Agency and, upon roll being called, the following members of the Agency were:

PRESENT: Patrick Hogan
Susan Stanczyk
Fanny Villarreal
Cydney Johnson
Elizabeth Dreyfuss

ABSENT: Garard Grannell
Janice Herzog

ALSO PRESENT: Robert M. Petrovich, Executive Director
Jeffrey W. Davis, Esq., Agency Counsel
Amanda M. Fitzgerald, Esq., Agency Counsel
Yvonne E. Hennessey, Esq., Agency Counsel

The following resolution was offered by Susan Stanczyk and seconded by Elizabeth Dreyfuss:

**RESOLUTION DETERMINING PURSUANT TO THE
STATE ENVIRONMENTAL QUALITY REVIEW ACT
THAT THE DRAFT ENVIRONMENTAL IMPACT
STATEMENT PREPARED FOR THE MICRON NEW YORK
SEMICONDUCTOR MANUFACTURING LLC PROJECT IS
ADEQUATE FOR COMMENCEMENT OF PUBLIC
REVIEW, SETTING A DATE AND TIMES FOR PUBLIC
HEARINGS, AND AUTHORIZING THE FILING AND
DISTRIBUTION OF THE NOTICE OF COMPLETION OF**

THE DRAFT EIS PURSUANT TO THE REQUIREMENTS OF SEQRA

WHEREAS, the Agency is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "Enabling Act"), Chapter 435 of the Laws of 1970 of the State of New York and Chapter 676 of the Laws of 1975 of the State of New York, as amended, constituting Section 895 of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act") to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of manufacturing, warehousing, research, commercial and industrial facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York (the "State"), to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to grant "financial assistance" (as defined in the Act) in connection with the acquisition, construction, reconstruction and install one or more "projects" (as defined in the Act) or to cause said projects to be acquired, constructed, reconstructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, Micron New York Semiconductor Manufacturing LLC, a Delaware limited liability company on behalf of itself and/or entities formed or to be formed on its behalf (the "Company"), has submitted an application to the Agency, and a revised Application to the Agency (collectively, the "Application"), copies of which are on file at the office of the Agency, which Application requests that the Agency consider undertaking a project (the "Project") for the benefit of the Company, said Project consisting of the following: (A)(1) the acquisition of a leasehold interest in all or a portion of approximately 806.16 acres of land located at 5171 New York State Route 31 (tax map nos. 046.-02-01.0, 046.-02-02.1, 046.-02-02.2, 046.-02-03.1, 046.-02-04.0, 046.-02-05.1, 046.-02-05.2, 048.-01-01.0, 048.-01-02.1, 048.-01-02.2, 048.-01-23.1, 048.-01-23.3, 049.-01-15.0, 049.-01-16.0, 049.-01-17.0, 049.-01-18.4, 049.-01-19.1, 049.-01-19.2, 050.-01-01.0, 050.-01-02.1, 050.-01-03.1, 050.-01-04.1, 050.-01-04.2, 050.-01-04.3, 050.-01-04.4, 050.-01-05.0, 051.-01-10.1, 051.-01-10.6, 051.-01-10.7, 051.-01-10.8, 051.-01-10.9, 051.-01-12.0, 064.-01-06.3, 064.-01-08.0) in the Town of Clay, Onondaga County, New York (collectively, the "Land"); (2) the construction on the Land of two approximately 1.2 million square foot memory fabrication facilities (each a "Fab") each consisting of approximately 600,000 square feet of cleanroom space, approximately 290,000 square feet of cleanroom support space and approximately 250,000 square feet of administrative space, and the construction of two support facilities housed in separate buildings consisting of an approximately 360,000 square foot central utility building and an approximately 200,000 square foot warehouse and approximately 200,000 square feet of product testing space together with other ancillary interior and exterior support systems and sitework including but not limited to installation of a chilled water system, a process cooling water system, air handlers, electrical sub stations, switch gear, and compressed dry air

systems, semiconductor manufacturing equipment, office and storage space, driveways, interior access roads, sidewalks, parking lots, landscaping, signage, electric and gas utility and internal communications infrastructure, electric substations, water and wastewater pre-treatment and storage and industrial gas storage (collectively, the "Facility"); and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other tangible personal property (collectively, the "Equipment") (the Land, the Facility and the Equipment being collectively referred to as the "Project Facility"); (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes (subject to certain statutory limitations) (the "Financial Assistance"); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency; and

WHEREAS, to aid the Agency in determining whether undertaking the Project may have a significant impact upon the environment, the Company has prepared and submitted to the Agency an Environmental Assessment Form, with addendum as amended (the "EAF"), with respect to the Project; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and the regulations of the Department of Environmental Conservation of the State of New York promulgated thereunder (collectively referred to hereinafter as "SEQRA"), the whole "Action" for purposes of SEQRA as outlined in the EAF includes the above described Project Facility as well as the full buildout of the "Micron Campus" with four Fab's and all ancillary support facilities ("Proposed Micron Project"); this process will result in continuous construction activities on the site over the approximate 16-year period, with a significant portion of that construction occurring inside previously constructed Fab buildings; and

WHEREAS, the Agency adopted a resolution on July 20, 2023 determining that the Action to be taken by the Agency is a Type I action which may have a "significant impact on the environment" (as said quoted term is utilized in SEQRA); established itself as Lead Agency pursuant to SEQRA for the purposes of conducting a coordinated environmental review; determined that the Proposed Micron Project may result in one or more significant adverse impacts on the environment, and that an environmental impact statement ("EIS") must be prepared to further assess the impacts and possible mitigation, and to explore alternatives to avoid or reduce those impacts; and adopted a final scoping document, which was made available for review by all involved and interested agencies, and by the public, in accordance with SEQRA following comment and review by all involved and interested agencies; and

WHEREAS, the Agency, with the assistance of the Company, its consultants and the Creating Helpful Incentives to Product Semiconductors (CHIPS) Program Office ("CPO"), has jointly prepared a Draft EIS to evaluate the potential environmental effects of the Proposed Micron Project as required under the National Environmental Policy Act ("NEPA") and SEQRA; and

WHEREAS, during development of the Draft EIS, the Agency regularly consulted with other SEQRA involved and interested agencies (including but not limited to New York State Department of Environmental Conservation and New York State Department of Transportation) to ensure that all environmental impacts were identified and fully evaluated in the Draft EIS while

at the same time CPO regularly consulted with NEPA participating and cooperating agencies (including but not limited to the Environmental Protection Agency and U.S. Army Corps of Engineers); and

WHEREAS, the Agency created a working group to understand and evaluate the Proposed Micron Project and all potentially significant environmental impacts, including available avoidance, minimization and mitigation measures, as well as to consider and assess preliminary drafts of the Draft EIS; and

WHEREAS, during May and June of 2025, Agency staff held numerous working group sessions during which the Agency's counsel and consultants discussed each environmental resource area evaluated in the Draft EIS and addressed all questions; and

WHEREAS, the Agency has completed its preliminary review of the Draft EIS and has analyzed the Draft EIS for compliance with the applicable SEQRA regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:

Section 1. The Agency hereby confirms its status as SEQRA lead agency concerning the coordinated environmental review of the Proposed Micron Project.

Section 2. Based upon an examination of the Draft EIS prepared for the Proposed Micron Project, the criteria contained in 6 NYCRR Part 617, including § 617.9, and based further upon the Agency's knowledge of the area surrounding the Proposed Micron Project, and such further investigation of the Project and its potential significant environmental impacts as the Agency has deemed appropriate, the Agency determines and finds that the Draft EIS, dated June 2025, is complete for commencement of the public review pursuant to SEQRA.

Section 3. Based upon the degree of interest in the Proposed Micron Project and identification of significant adverse environmental impacts; the Agency determines and finds that it is appropriate to conduct a public hearing concerning the Proposed Micron Project in accordance with 6 NYCRR Part 617, including § 617.9(a)(4).

Section 4. The Agency hereby adopts a Notice of Completion of Draft EIS and Notice of Public Hearing (the "Notice of Completion") concerning the Proposed Micron Project, which is attached hereto as Exhibit A.

Section 5. The public comment period concerning the Draft EIS shall commence upon the filing and circulation of a Notice of Completion pursuant to the requirements of SEQRA, and such public comment period shall remain open until August 11, 2025.

Section 6. The public hearing shall be held on Thursday July 24, 2025 from 10AM – 1PM, 2PM – 5PM and 6PM-9PM at the Liverpool High School Auditorium, 4338 Wetzel Road, Liverpool, New York, 13090.

Section 7. The Agency shall arrange for filing and distribution of the Notice of Completion and Draft EIS pursuant to the requirements of SEQRA.

Section 8. Copies of the Draft EIS and Notice of Completion, as well as a copy of this Resolution, shall be placed on file in the office of the Agency where the same shall be available for public inspection during business hours, and a copy shall also be made available for public review at the Onondaga County Public Library, Town of Clay Town Hall, 4401 Route 31, Clay, NY 13041, and Town of Cicero Municipal Offices, 8236 Brewerton Road, Cicero NY 13039.

Section 9. This Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

| | <u>AYE</u> | <u>NAY</u> | <u>ABSENT</u> |
|--------------------|------------|------------|---------------|
| Patrick Hogan | X | | |
| Janice Herzog | | | X |
| Cydneý Johnson | X | | |
| Elizabeth Dreyfuss | X | | |
| Susan Stanczyk | X | | |
| Garard Grannell | | | X |
| Fanny Villarreal | X | | |

The Resolution was thereupon declared duly adopted.


STATE OF NEW YORK)
) SS.:
COUNTY OF ONONDAGA)

I, the undersigned Secretary of the Onondaga County Industrial Development Agency, DO HEREBY CERTIFY that I have compared the foregoing extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on June 25 2025, with the original thereof on file in my office, and that the same is a true and correct copy of such proceedings of the Agency and of such Resolution set forth therein and of the whole of said original so far as the same relates to the subject matter therein referred to.

I FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting, (B) said meeting was in all respects duly held, (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public and due notice of the time and place of said meeting was duly given in accordance with such Open Meetings Law, and (D) there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY that as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed, or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand this 25 day of June, 2025.


Secretary

(S E A L)

EXHIBIT A

STATE ENVIRONMENTAL QUALITY REVIEW ACT

NOTICE OF COMPLETION AND PUBLIC HEARING DRAFT ENVIRONMENTAL IMPACT STATEMENT

MICRON NEW YORK SEMICONDUCTOR MANUFACTURING PROJECT

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8, State Environmental Quality Review Act (SEQRA) of the New York State Environmental Conservation Law and the regulations adopted pursuant thereto (6 NYCRR Part 617). The Onondaga County Industrial Development Agency (OCIDA), as joint lead agency with the Creating Helpful Incentives to Produce Semiconductors (CHIPS) Program Office (CPO) created by the U.S. Department of Commerce, has accepted for public review and comment the Draft Environmental Impact Statement (Draft EIS) for the proposed Micron New York Semiconductor Manufacturing Project. CPO and OCIDA jointly prepared this Draft EIS to evaluate the potential environmental effects of the Proposed Project as required under the National Environmental Policy Act (NEPA) and SEQRA. A copy of the Draft EIS may be viewed on OCIDA's webpage at: <https://ongoved.com/microndeis2025/>.

A paper copy may also be viewed at the office of OCIDA during normal business hours by appointment by using the phone number below. Copies of these documents may also be viewed at the Town of Clay Town Hall and Town of Cicero Municipal Offices as well as the following library during normal business hours:

Onondaga County Public Library
447 South Salina St.
Syracuse, NY 13202

Public comment sessions will be held from 10 am – 1 pm; 2 pm – 5 pm; and 6 pm – 9 pm on Thursday, July 24, 2025, pursuant to 6 NYCRR Part 617, to gather unsworn, public comment on the Draft EIS. The meeting will take place at the Liverpool High School Auditorium, 4338 Wetzell Road, Liverpool, New York, 13090. All persons, organizations, corporations, or government agencies that may be affected by the proposed project are invited to attend the meeting and to submit oral or written comments. Lengthy statements should be in writing and summarized for oral presentation. Reasonable time limits may be set for each speaker to afford everyone an opportunity to be heard. Equal weight will be given to both oral and written statements. The public comment session will have simultaneous Spanish and American Sign Language interpretation. To request additional language translation services or special needs assistance, at no charge, please contact OCIDA by 5:00 p.m. **July 14, 2025**, using the contact information listed below.

Written comments on the Draft EIS will be accepted by OCIDA and must be submitted by mail or e-mail to the contact listed below until **August 11, 2025**. Because this is a joint Federal and State Draft EIS, all comments submitted to either OCIDA or CPO will be considered by both agencies.

Comments do not need to be submitted to both agencies to be considered. There will be no extension of the comment period.

Micron New York Semiconductor Manufacturing LLC (Micron), a wholly owned subsidiary of Micron Technology, Inc., proposes to construct and operate a semiconductor manufacturing facility with four semiconductor fabrication buildings (fabs) on an approximately 1,377-acre site consisting primarily of the White Pine Commerce Park (WPCP), principally located at 5171 Route 31, Town of Clay, New York. In total, the Proposed Project would consist of: construction of the Micron Campus at the WPCP, including the four fabs, ancillary support facilities, ingress and egress roads, driveways, and parking; construction of a rail spur and construction material conveyance facility to support construction of the Micron Campus (Rail Spur Site); construction of a childcare center, healthcare center, and recreational center (Childcare Site); and leasing of existing warehouse space in an industrially zoned area at a location to be determined within 20 miles of the Micron Campus (Warehouse Site). The Proposed Project will also require utility and infrastructure improvements to meet its electricity, natural gas, water supply, wastewater, and telecommunications needs (Connected Actions).

Construction and operation of the Proposed Project and Connected Actions requires action from several Federal, State, and local agencies. Micron is also seeking federal funding under the Creating Helpful Incentives to Produce Semiconductors for America Act (the "CHIPS Act"), as amended by the CHIPS Act of 2022, and has submitted applications and requests for certain Federal permits and approvals that require Federal environmental review, including, but not limited to, Federal wetlands permits pursuant to Section 404 of the Clean Water Act. New York State is considering providing financial support and tax incentives to Micron under the New York Green CHIPS Program and the Green CHIPS Excelsior Jobs Tax Credit Program to support construction and operation of the Proposed Project within New York State. In addition, OCIDA is considering Micron's application for a grant of financial assistance to construct the Proposed Project and the use of its condemnation authority pursuant to the New York Eminent Domain Procedure Law. OCIDA is also considering whether to lease, and ultimately sell to Micron, the WPCP where the Proposed Project will be located. Other Federal, State and local land use decisions, permits, authorizations and approvals are also under consideration by relevant agencies and authorities.

The Draft EIS analyzed the following areas of potential environmental impacts from the No Action Alternative and the Proposed Action Alternatives: Land Use, Zoning and Public Policy; Geology, Soils and Topography; Water Resources; Biological Resources; Historic and Cultural Resources; Air Quality; Greenhouse Gas and Climate Change; Solid Waste and Hazardous Materials; Human Health and Safety; Utilities and Infrastructure; Transportation; Noise and Vibration; Visual Impacts and Community Character; Community Facilities, Open Space and Recreation; Socioeconomics; and Environmental Justice.

Contact Information:

Onondaga County Industrial Development Agency
ATTN: Micron Project
335 Montgomery Street, 2nd Floor

Syracuse, New York 13202

Phone: (315) 435-3770

Fax: (315) 435-3669

Written comments may be submitted jointly to OCIDA and CPO at the above mailing address or via email at: CHIPSNEPA@chips.gov

To: All SEQRA Involved & Interested Agencies

Enclosed is a flash drive containing an electronic copy of the Draft EIS.

Mailing List:

SEQRA Involved Agencies

Amanda Lefton, Commissioner
New York State Department of Environmental Conservation
625 Broadway
Albany, NY 12233

Dereth Glance, Regional Director
Region 7
New York State Department of Environmental Conservation
5786 Widewaters Parkway
Syracuse, NY 13214-1867

Marie Therese Dominguez, Commissioner
New York State Department of Transportation
50 Wolf Road
Albany, NY 12232

David P. Smith, P.E., Regional Director
New York State Department of Transportation
State Office Building
333 E. Washington Street
Syracuse, NY 13202

Hope Knight, President & CEO
Empire State Development
655 Third Avenue – Floor 4
New York, NY 10017

New York Power Authority
Justin E. Driscoll, Acting President & CEO
123 Main Street
White Plains, NY 10601-3170

Commissioner Jeanette M. Moy
Office of General Services
36th Floor, Corning Tower
Empire State Plaza
Albany, NY 12242

Walter T. Mosley, Secretary of State
New York State Department of State
One Commerce Plaza
99 Washington Avenue
Albany, NY 12231

Justin E. Driscoll, President and CEO
NYS Canal Corporation
30 South Pearl St, 5th Floor
Albany NY 12207

Randy Simons, Commissioner Pro Tem/Chief of Staff
New York State Office of Parks, Recreation & Historic Preservation
625 Broadway
Albany, NY 12207

New York State Department of Environmental Conservation
Division of Environmental Permits
625 Broadway
Albany, NY 12233

J. Ryan McMahon, II, County Executive
John H. Mulroy Civic Center
421 Montgomery Street, 14th Floor
Syracuse, New York 13202

Martin E. Voss, Commissioner
Onondaga County Department of Transportation
6230 East Molloy Rd.
East Syracuse, NY 13057

Shannon L. Harty, Commissioner
Onondaga County Water Environment Protection
650 Hiawatha Boulevard
Syracuse, New York 13204

Benjamin Yaus, First Chief Deputy County Attorney
Onondaga County Law Department
John H. Mulroy Civic Center
421 Montgomery Street - 10th Floor
Syracuse, New York 13202

Cydney Johnson
Deputy County Executive for Physical Services
John H. Mulroy Civic Center
421 Montgomery Street
Syracuse, New York 13202

Onondaga County Water Authority
Jeffrey D. Brown, Esq. Executive Director
200 Northern Concourse
Syracuse, New York 13212

Damian M. Ulatowski, Supervisor
Town of Clay
4401 State Route 31
Clay, New York 13041

Russ Mitchell, Chairman
Planning Board
Town of Clay
4401 State Route 31
Clay, New York 13041

Vivian Mason, Chair
Zoning Board of Appeals
Town of Clay
4401 State Route 31
Clay, New York 13041

Mark Marzullo, Chairman
Planning Board
Town of Cicero
8236 Brewerton Road
Cicero, New York 13039

SEORA Interested Agencies

Doreen M. Harris, President & CEO
New York State Energy Research and Development Authority
17 Columbia Circle
Albany, NY 12203-6399

Russell King, Assistant Counsel
New York State Department of Public Service
3 Empire State Plaza
Albany, NY 12223-1350

Troy Waffner, Planning Director
Syracuse-Onondaga County Planning Agency
335 Montgomery Street, 1st Floor
Carnegie Building
Syracuse, New York 13202

James D'Agostino, Director
Syracuse Metropolitan Transportation Council
100 Clinton Square
126 North Salina Street, Suite 100
Syracuse, NY 13202

Mayor Ben Walsh
City of Syracuse
City Hall, Suite 203
233 East Washington Street
Syracuse, NY 13202

Steven Kulick, Chair
City of Syracuse Planning Commission
One Park Place
300 South State Street, Suite 700
Syracuse, NY 13202

Michael Aregano, Supervisor
Town Board
Town of Cicero
8236 Brewerton Road
Cicero, NY 13039